

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 22, 1999**

**DIVISION THREE**

106543-99

The HONORABLE Harvey A. Schneider, Judge of the Los Angeles Superior Court, Los Angeles County, is hereby assigned to assist the Court of Appeal, Second Appellate District, Division Three, as a Justice thereof, on the following dates:

December 1, 1999 to February 29, 2000

and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Court of Appeal justice, all petitions for rehearing arising out of such causes and matters.

This assignment does not extend to any matter in which the panel would be composed of two justices pro tempore.

Dated October 27, 1999

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

DIVISION FOUR

B130206      Professional Transcribing                      (Not for Publication)  
                 Service, Paris Romero  
                 v.  
                 Lavian

The order denying appellant's motion to vacate entry of default and default judgment is affirmed. Respondent shall recover costs.

Dau, J. (Assigned)

We concur:   Epstein, Acting P.J.  
                 Curry, J.

B124381      People    (Not for Publication)  
                 v.  
                 Guevara et al.

The judgment as to Rivas is modified to reflect the imposition of a \$1,400 parole revocation fine, and, as modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly. The judgment as to Guevara is affirmed

Curry, J.

We concur:   Vogel (C.S.), P.J.  
                 Epstein, J.

DIVISION FIVE

B123042      People    (Not for Publication)  
                 v.  
                 Donnell Smith et al.

The judgment is affirmed.

Grignon, J.

We concur:   Turner, P.J.  
                 Armstrong, J.

DIVISION FIVE (Continued)

B125252      Cynthia Frazier                      (Not for Publication)  
                 v.  
                 Pacific Palisades

The judgment is reversed. Appellant Cynthia E. Frazier is awarded her costs on appeal.

Grignon, J.

We concur:    Turner, P.J.  
                 Godoy Perez, J.

B127913      Druckers', Inc., et al.  
                 v.  
                 Pioneer Electronics, Inc., et al.

Filed order vacating submission order of September 1, 1999. Cause resubmitted.

B122954      Druckers', Inc., et al.  
                 v.  
                 Pioneer Electronics, Inc., et al.

Filed order vacating submission order of August 3, 1999. Cause resubmitted.

DIVISION SIX

B130046      Ventura County Human                      (Not for Publication)  
                 Services Agency  
                 v.  
                 Clark C., et al.

The judgment (visitation order) is affirmed.

Abbe, J. (Assigned)

We concur:    Gilbert, P.J.  
                 Yegan, J.

DIVISION SIX (Continued)

B129779      Atkins et al.                      (Not for Publication)  
                 v.  
                 Wal-Mart, Inc.

The judgment is affirmed. Costs to respondents.

Yegan , J.

We concur:   Gilbert, P.J.  
                 Coffee, J.

B128962      People                                      (Not for Publication)  
                 v.  
                 Simmons

The judgment is affirmed.

Coffee, J.

We concur:   Gilbert, P.J.  
                 Yegan, J.

B119793      Doubrox                                      (Not for Publication)  
                 v.  
                 Gray

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur:   Gilbert, P.J.  
                 Coffee, J.

## DIVISION SIX (Continued)

B128306      People                                  (Not for Publication)  
v.  
Stephens et al.

As to all appellants, the order suspending imposition of sentence on count two is vacated. The matter is remanded with directions that, consistent with the views expressed in this opinion, the trial court shall impose sentence as to all appellants on count two and stay such sentences. As to Stephens, sentence on count one is also vacated and he is to be resentenced in conformity with the views expressed herein.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B128448 People (Not for Publication)  
v.  
Holmes

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B127555 People (Not for Publication)  
v.  
Ornelas

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

## DIVISION SIX (Continued)

B128569 People (Not for Publication)  
v.  
Hunter

We modify the judgment to impose a \$200 state penalty assessment pursuant to section 1464, subdivision (a), and a \$140 county penalty assessment pursuant to Government Code section 76000, subdivision (a). The trial court is directed to amend the abstract of judgment to reflect the penalty assessments and a \$200 parole revocation restitution fine pursuant to section 1202.45 and a \$200 sex offender registration fine pursuant to section 290.3. It shall forward a copy of the amended abstract of judgment to the Department of Corrections. The judgment is otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B128889 People (Not for Publication)  
v.  
Ryan M.

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Yegan, J.

B132677 Wright (Not for Publication)  
v.  
Talbott

The judgment is affirmed. Wright is awarded costs on appeal.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.

DIVISION SEVEN

B125515      Roberts                                      (Certified for Publication)  
                 v.  
                 Sentry Life Insurance

The judgment is affirmed. Respondent(s) to recover costs.

Neal, J.

We concur: Lillie, P.J.  
                 Woods, J.